

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Arlene F. Hatten,

Plaintiff,

v.

Civil Action 2:24-cv-01102
Chief Judge Algenon L. Marbley
Magistrate Judge Kimberly A. Jolson

Tom Elkin, et al.,

Defendants.

REPORT AND RECOMMENDATION

Plaintiff filed her Complaint on March 8, 2024. (Doc. 1). Plaintiff did not file an application to proceed *in forma pauperis* or pay the applicable filing fee. While Plaintiff attached a document called “bond undertaking” to the Complaint, this document does not give clear insight into Plaintiff’s income, assets, expenses, or support she may receive that would allow the Court to evaluate her financial status. *See* 28 U.S.C. § 1915(a) (requiring a plaintiff seeking to proceed *in forma pauperis* to submit an affidavit that includes financial information). So, on March 11, the Clerk of Court directed Plaintiff to either pay the full filing fee or submit an application to proceed *in forma pauperis* within thirty days. (Doc. 2). More than thirty days have now passed, and Plaintiff has done neither. Therefore, the Undersigned **RECOMMENDS** Plaintiff be ordered to pay the filing fee **within thirty (30) days** or else her case should be **DISMISSED without prejudice** for failing to pay the filing fee.

Procedure on Objections

If any party objects to this Report and Recommendation, that party may, within fourteen (14) days of the date of this Report, file and serve on all parties written objections to those specific proposed findings or recommendations to which objection is made, together with supporting

authority for the objection(s). A District Judge of this Court shall make a *de novo* determination of those portions of the Report or specific proposed findings or recommendations to which objection is made. Upon proper objection, a District Judge of this Court may accept, reject, or modify, in whole or in part, the findings or recommendations made herein, may receive further evidence, or may recommit this matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the district judge review the Report and Recommendation *de novo* and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

IT IS SO ORDERED.

Date: April 15, 2024

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE